

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

KONINKLIJKE PHILIPS N.V., and
U.S. PHILIPS CORPORATION,

Plaintiffs,

v.

VISUAL LAND, INC.,

Defendant.

MICROSOFT CORPORATION,

Intervenor-Plaintiff,

v.

KONINKLIJKE PHILIPS N.V. and
U.S. PHILIPS CORPORATION,

Intervenor-Defendants.

KONINKLIJKE PHILIPS N.V., and
U.S. PHILIPS CORPORATION,

Intervenor-Defendants/Counterclaim
Plaintiffs in Intervention,

v.

MICROSOFT CORPORATION,

Intervenor-Plaintiff/Counterclaim
Defendant in Intervention.

AND

MICROSOFT MOBILE Inc.,

Counterclaim Defendant in
Intervention

C.A. No. 15-1127-GMS

REDACTED PUBLIC VERSION

Filed June 2, 2017

**DECLARATION OF GARY LU IN SUPPORT OF DEFENDANT VISUAL LAND INC.'S
RENEWED MOTION TO DISMISS FOR IMPROPER VENUE OR,
IN THE ALTERNATIVE, TO STAY OR EXTEND TIME**

I, Gary Lu, declare as follows:

1. I am the Chief Executive Officer of Visual Land, Inc ("Visual Land").

2. I have personal knowledge of the matters stated below and, if called as a witness to testify, could do so competently under oath.

3. In my position as Chief Executive Office, I am familiar with the location of Visual Land's operations and employees in the United States.

4. Visual Land is incorporated in California.

5. Visual Land's principal place of business is in Cerritos, California.

6. Visual Land has no offices, warehouses, retail locations, other facilities, or employees located in Delaware.

7. Visual Land is a small company [REDACTED].

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED].

8. [REDACTED]

[REDACTED]

[REDACTED]

9. [REDACTED]

[REDACTED] At the same time, Mr. Palanca served as Visual Land's office manager as well as a graphic designer.

10. [REDACTED]

[REDACTED]

[REDACTED]

11. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

12. [REDACTED]

[REDACTED]

[REDACTED]

13. Mr. Palanca's employment at Visual Land terminated in April 2017. To date, Visual Land has not hired or designated another employee for his office and graphic designer duties.

14. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

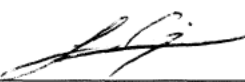
16. [REDACTED]

[REDACTED]

[REDACTED]

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Cerritos, California on May 25, 2017



Gary Lu
Chief Executive Officer, Visual Land Inc.

CERTIFICATE OF SERVICE

I, Samantha G. Wilson, Esquire, hereby certify that on May 25, 2017, I caused to be electronically filed a true and correct copy of the foregoing sealed document with the Clerk of the Court using CM/ECF, which will send notification of such filing to the following counsel of records:

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Attorneys for Intervenor Microsoft Corporation

I further certify that on May 25, 2017, I caused a copy of the foregoing sealed document to be served on the above-listed counsel by electronic mail.

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/s/ Samantha G. Wilson

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Dated: May 25, 2017

Attorneys for Defendant Visual Land, Inc.

CERTIFICATE OF SERVICE

I, Samantha G. Wilson, Esquire, hereby certify that on June 2, 2017, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to registered participants.

I further certify that on June 2, 2017, I caused the foregoing document to be served by e-mail upon the following counsel of record:

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